

A BILL

FOR AN ACT IN RELATION TO THE TAXATION OF COSTS AND ATTORNEY AND
COLLECTION FEES IN ACTIONS UPON WRITTEN CONTRACTS.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That there shall not,
2 in any action at law or in equity, in any of the courts of this State, upon any contract made
3 after the taking effect of this act, unless the losing party shall have unsuccessfully resisted
4 the recovery of the amount finally adjudged to be due on such contract, be taxed against or
5 recovered from such losing party, any other or greater attorney or collection fee for enforc-
6 ing such contracts than as provided in sections 2 and 3 hereof, anything in the contract to
7 the contrary notwithstanding.

SEC. 2. When a recovery is had, by either party, upon a written contract which provides
2 for the recovery of attorney or collection fees, and the party liable thereon shall not have
3 unsuccessfully resisted the recovery of the amount finally adjudged to be due thereon, it shall
4 be the duty of the clerk to assess or tax against the losing and in favor of the prevailing
5 party on such contract, as costs, the sum of ten dollars, for commencing suit and filing peti-
6 tion, or filing a counter-claim or cross-petition founded on such contract, and the following
7 per centum on the amount of the judgment recovered, to-wit: On the first one thousand
8 dollars, three per centum ; on the overplus between one and five thousand dollars, two per
9 centum ; and on the amount over five thousand dollars, one per centum:

SEC. 3. If either party before trial settle the amount for which he is liable on such con-
2 tract, he shall not be required to pay more than one-half of the collection fee above named.